

Message Text

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PAGE 01 STATE 304647
ORIGIN EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 L-03 AGRE-00 CEA-01
CIAE-00 COME-00 DODE-00 FRB-03 H-01 INR-07 INT-05
LAB-04 NSAE-00 NSC-05 PA-01 CTME-00 AID-05 SS-15
STR-05 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 SOE-01
OMB-01 DOE-12 /113 R

DRAFTED BY EB/ITP/EWT:HLCLARKE:ABA
APPROVED BY EB/ITP/WGBARRACLOUGH
L - MS. DAMROSCH
EUR/EE - MR. BOUTIN
STR - MR. LAPP
STR - MR. STEWART (INFO)
COMMERCE/BEWT - MS. LEVINE
TREASURY - MR. MCCARTHY

-----122011 220825Z /11

R 220144Z DEC 77
FM SECSTATE WASHDC
TO AMEMBASSY BUDAPEST
INFO USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EEWT, GATT, HU

SUBJECT: U.S. INVOCATION OF GATT ARTICLE XXXV AGAINST
HUNGARY

REF: BUDAPEST 4252, PARA 6

1. U.S. INVOCATION OF ARTICLE XXXV APPLIES TO THE GATT
AS A WHOLE, NOT REPEAT NOT MERELY ARTICLE II. WE DID NOT
HAVE LEGISLATIVE AUTHORITY TO ENTER INTO GATT OBLIGATIONS
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WITH HUNGARY UNDER EITHER ARTICLE I OR II IN 1973, WHEN
HUNGARY ACCEDED TO THE GATT, NOR DO WE NOW.

2. SINCE NYERGES IS FAMILIAR WITH OUR LEGAL SITUATION, HE
MAY HAVE HAD IN MIND THE STATEMENT OF THE U.S. REPRESENTA-
TIVE AT THE WORKING PARTY ON THE ACCESSION OF HUNGARY
(L/3889, 20 JULY 1973, PARA 20), IN WHICH THE U.S. REPRE-

SENTATIVE SAID HE COULD NOT PARTICIPATE IN THE DISCUSSION OF HUNGARY'S TARIFF SCHEDULE. THIS STATEMENT MERELY REFERRED TO PARAGRAPH 1(A) OF ARTICLE XXXV, WHICH PREVENTS US FROM NEGOTIATING TARIFFS IN THE GATT IF WE INVOKE ARTICLE XXXV. THE U.S. REPRESENTATIVE ALSO RESERVED OUR RIGHT TO NEGOTIATE TARIFFS WITH HUNGARY WE LATER DISINVOKE ARTICLE XXXV. (IN THE SUMMER OF 1973 IT WAS

THOUGHT THAT THE TRADE ACT, THEN A PENDING BILL IN CONGRESS, MIGHT PERMIT FULL GATT RELATIONS WITH NONMARKET-ECONOMY COUNTRIES.)

3. THE U.S. ALSO MADE A STATEMENT AT THE GATT COUNCIL ON JULY 30, 1973, IN CONNECTION WITH OUR VOTE IN FAVOR OF HUNGARY'S ACCESSION TO THE GATT. WE RESERVED OUR POSITION ON THE TERMS OF HUNGARY'S ACCESSION, BUT DID NOT QUALIFY OUR INVOCATION OF ARTICLE XXXV. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RELATIONS WITH REGIONAL ORGS
Control Number: n/a
Copy: SINGLE
Sent Date: 22-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: HLCLARKE:ABA
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From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771226/aaaaavgh.tel
Line Count: 79
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 210e49fe-c188-dd11-92da-001cc4696bcc
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
Reference: 77 BUDAPEST 4252, 77 PARAMARIBO 6
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Feb-2005 12:00:00 am
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Review Withdrawn Fields: n/a
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Subject: U.S. INVOCATION OF GATT ARTICLE XXXV AGAINST HUNGARY
TAGS: EEWT, HU, GATT
To: BUDAPEST
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/210e49fe-c188-dd11-92da-001cc4696bcc
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